

Schedule 1

Overview and Scrutiny Management Board

Terms of reference

- 1) The OSMB's terms of reference are as follows –
- consider matters relating to the conduct, structure and procedures of overview and scrutiny;
 - provide overview and scrutiny of the Council's values, plans and strategies and to make recommendations for improvements as it considers appropriate;
 - co-ordinate and prioritise the overview and scrutiny work programme and assign work, as it considers appropriate, to the various select commissions
 - establish task-finish scrutiny working groups; this includes:-
 - determining their size and membership; and,
 - approving their terms of reference;
 - liaise with the Leader and Advisory Cabinet to regularly attend the OSMB to assist in consideration of the scrutiny work programme,
 - co-ordinate respective work programmes with the Chair of the Audit Committee, Chairs of Area Assemblies and Parish Councils to identify areas of joint working as appropriate and. minimise areas of duplication,
 - consider a request made under a Councillor Call for Action in relation to a local government matter (under the powers outlined in Section 119 of the Local Government and Public Involvement in Health Act 2007)
 - consider a request made under a Councillor Call for Action in relation to crime and disorder issues (under the powers outlined in the Police and Justice Act 2006).
 - act as the designated Crime and Disorder Committee under powers outlined in the Police and Justice Act 2006.
 - monitoring and holding to account the performance of service delivery within the Council and its partners etc with particular reference to the Corporate Plan and Community Strategy;
 - scrutinising and monitoring whether efficiency savings are achieved or exceeded;
 - co-ordinating the carrying out of value for money reviews;
 - scrutinising the annual budget setting process; and
 - monitoring the Council's budget and medium term financial strategy.
 - consider matters relating to equalities and diversity and the Council's specific initiatives to promote them;
 - make recommendations to the Commissioners, Advisory Cabinet, partners or to any organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council;
 - co-ordinate for joint scrutiny activity with other authorities and non-executives/scrutineers from other bodies;

Annual overview and scrutiny work programmes

- to approve an annual overview and scrutiny work programme, including the programme of any sub- committees it appoints;

- to ensure that there is efficient use of the board's and overview and scrutiny select commission's time, and that the potential for duplication of effort is minimised.
- to ensure that members of the board and overview and scrutiny select commissions may efficiently carry out their work.
- to prepare and approve an annual overview and scrutiny work programme for implementation by the select commissions or their review groups, including –
 - liaison with the Commissioners, Advisory Cabinet and Senior Leadership Team,
 - service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by –
 - an area assembly
 - an overview and scrutiny select commission;
 - an organisation with which the Council is in partnership, or
 - the public as a result of a public consultation exercise, or
 - the Plan of key decisions;
- reviews in consequence of the Council's Corporate Plan and Sustainable Community Strategy;
- performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators);
- reviews under the statutory powers to scrutinise the health service;
- reviews under the Council's general power of competence and power to promote the well-being of the citizens of Rotherham;
- to monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports;
- to submit an annual report to the Council on the operation of overview and scrutiny select commissions and recommendations for future work, in accordance with article 8(6) of the Constitution;

Cross-cutting issues and resolution of disputes

- to determine which overview and scrutiny select commission will assume responsibility for any particular issue, where matters fall within the remit of more than one select commission and to resolve any issues of dispute between them;

Requests for reports from Commissioners and management of referrals to Commissioners

- to receive requests from the Commissioners and the Council or both for reports from a select commission and to allocate them as appropriate;
- to put in place and maintain a system to ensure that referrals from select commissions to the Commissioners, either by way of report or for reconsideration, are managed efficiently;

Prioritising referrals to Commissioners to make decisions at the Commissioners' request about the priority of referrals to overview and scrutiny if the volume of referrals creates difficulty for the management of Commissioners' business, threatens the effective working of the overview and scrutiny process, or jeopardises the efficient running of council business;

Review or scrutiny of Council and reports to Commissioners

- to make reports or recommendations to the Commissioners or the Council in respect of functions which are the responsibility of the executive;

- to review or scrutinise decision making processes or actions taken in connection with the discharge of functions which are not the responsibility of the Commissioners
- to make reports or recommendations to the Council in respect of functions which are not the responsibility of the executive;

Matters affecting the borough or its inhabitants

- to make reports or recommendations to the full Council or the Commissioners on matters which affect the borough or the inhabitants of the borough; and
- to arrange public consultation exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.

Membership of OSMB

2) The membership of the OSMB shall comprise –

- a chairperson who shall be a councillor appointed by the Council;
- a vice-chairperson who shall be appointed by the Council; and
- the chairs and vice-chairs of the overview and scrutiny select commission who shall be councillors appointed by the Council
- sufficient opposition councillors nominated by Opposition Parties or councillors and appointed by the Council, to ensure political balance

Committee meetings

3) Ordinary meetings of the OSMB shall be set monthly for 9.00 am on Fridays.

4) Meetings of the OSMB will normally be held at the Town Hall, Rotherham, Moorgate Street, Rotherham, S60 2TH but may be held at other venues around the Borough as appropriate

Schedule 2

TERMS OF REFERENCE FOR OVERVIEW AND SCRUTINY SELECT COMMISSIONS

MEMBERSHIP AND MEETINGS

1) MEMBERSHIP OF SELECT COMMISSIONS

Membership of Overview and Scrutiny Select Commissions

- 1) The membership of each of the Council's overview and scrutiny select commissions shall comprise –
 - a chairperson and vice-chairperson, who shall be members of the Council appointed annually by the Council;
 - other members of the Council appointed annually by the Council;
 - any non-voting co-optees appointed from time to time by each select commission; and
 - in the case of the Improving Lives Select Commission the education representatives appointed by the Council.

2) SELECT COMMISSION MEETINGS

- 1) 2) In consideration of its workload, including any annual overview and scrutiny work programme allocated to it by the OSMB, each overview and scrutiny select commission shall determine the frequency of its meetings.
- 3) Meetings of overview and scrutiny select commissions will normally be held at the Town Hall, Rotherham, Moorgate Street, Rotherham, S60 2TH but may be held at other venues around the Borough as appropriate.

GENERAL FUNCTIONS

3) GENERAL FUNCTIONS

Overview and scrutiny select commissions are tasked with the following general functions –

Annual overview and scrutiny work programmes

- Carrying out the annual overview and scrutiny work programme set for each select commission by the OSMB, including –
 - service reviews conducted on the basis of clear priorities set in response to Commissioners, Council or a matter brought to the select commission's attention by an area assembly, petition, other overview and scrutiny select commission, organisation with which the Council is in partnership, referral from tenant or user group bodies (for example area housing panels or Rotherham Youth Cabinet) or as a result of a public consultation exercise;
 - performance reviews of joint authorities, other select commissions and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators).

Requests for reports from OSMB

- Submitting reports commissioned by the OSMB in response to requests from the Commissioners or the Council (or both) for reports from overview and scrutiny select commissions.

Reports in respect of executive functions

- Submitting reports with recommendations to the Commissioners or the full Council in respect of functions which are the responsibility of the executive and which fall within the remit of the particular select commission.

Review and scrutiny of non-executive decisions

- Reviewing and scrutinising decisions made or actions taken in connection with the discharge of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission.
- Submitting reports with recommendations to the full Council in respect of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission.

Matters affecting the borough or its inhabitants

- Submitting reports commissioned by the OSMB with recommendations on matters that affect the borough or the inhabitants of the borough for submitting to the Council or the Commissioners
- Arranging public consultation exercises for the purpose of assessing public satisfaction with current council policies or to assist in the development of new policies.

SPECIFIC FUNCTIONS

4) 5) **HEALTH**

The Health Select Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including –

- performing the role of the Council's designated scrutiny body for any issue relating to health and the public health agenda including those functions contained within the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013;
- scrutinising the health services commissioned for the people of Rotherham (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001);
- scrutinising partnerships and commissioning arrangements in relation to health and well-being and their governance arrangements and the integration of health and social care services and budgets
- scrutinising measures for achieving health improvements and the promotion of wellbeing for Rotherham's adults and children;
- scrutinising measures designed to address health inequalities;
- scrutinising public health arrangements;
- scrutinising food standards and environmental health ; and
- scrutinising issues referred to the select commission by the Healthwatch Rotherham (or any successor body).
- Those elements of this scrutiny function relating to NHS England's new review of Congenital Heart Disease services are delegated to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber)

The Health Select Commission will also act as a consultee in respect of those matters of "substantial variation" on which NHS bodies must consult with the Council in relation to its health scrutiny function.

The Health Select Commission will lead on the overview and scrutiny of any regional and specialist health service health matters affecting residents of two or more local authorities within Yorkshire and the Humber, and will conduct such overview and scrutiny reviews in accordance with the Protocol for the Yorkshire and the Humber Council's Joint Health Scrutiny Select Commission.

6) IMPROVING LIVES

The Improving Lives Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –

- scrutinising the Every Child Matters agenda (note Health Select Commission responsibilities);
- scrutinising the “Think Family” and early intervention/ prevention agendas;
- scrutinising other cross-cutting services provided specifically for children and young people;
- scrutinising the implementation of Rotherham's plans to tackle Child Sexual Exploitation

7) IMPROVING PLACES

The Improving Places Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –

- scrutinising community cohesion and social inclusion and the Council's specific initiatives to promote them;
- scrutinising tourism, culture and leisure services and strategies;
- scrutinising borough wide housing and neighbourhood strategies;
- scrutinising economic development and regeneration strategies; and
- scrutinising the environment and sustainable development.